

light emitted by the phosphor (col. 4, lines 30-32). To achieve adequate transparency for the oxynitride coating, Budd recommends that “The nitrogen to oxygen molar **ratio of the oxynitride coating** [be] preferably in the range of about 4:1 to about 1:4, most preferably about 3 or 2:1 to about 1:2 or 3, and even more preferably near about 1:1” (emphasis added, see col. 4, lines 33-37). It is clear therefore that Budd discloses those specific oxygen-to-nitrogen ratios for the **coating**, while being completely silent about oxygen-to-nitrogen ratios for the atmosphere used during the coating process. In contrast, claim 13 recites specific oxygen-to-nitrogen ratios for the **atmosphere** used for the deposition of the dielectric material, and not the oxygen-to-nitrogen ratios for the dielectric material itself.

In view of the foregoing, the Applicants submit that the Examiner misinterpreted the teachings of Budd and used them improperly to reject claim 13. It is therefore submitted that the rejection of claim 13 over Budd should be withdrawn and that claim 13 is allowable over Budd. Since the remaining claims depend variously from claim 13, it is further submitted that those claims are also allowable over Budd. The Applicants submit therefore that the rejections of claims under § 102 have been overcome.

Each of claims 15 and 16 further specifies that the Group V element is selected from the group consisting of nitrogen and **phosphorus**.

In the rejection of claims 15 and 16, the Examiner pointed to Budd’s col. 4, lines 30-40. Inspection of Budd reveals that the cited text talks about “**phosphor**” and **not phosphorus**. A phosphor is a substance that exhibits the phenomenon of phosphorescence (sustained glowing after exposure to light or energized particles, such as electrons) (see, e.g., <http://www.sciencelobby.com/dictionary/p.html>). Typical phosphors are made of transition metal compounds or rare earth compounds of various types. These compounds do not necessarily contain phosphorus. Phosphorus, on the other hand, is a chemical element, which is a completely different thing from a phosphor. Moreover, phosphorus itself is not a phosphor, even though it can give off a faint chemoluminescent glow upon reacting with oxygen (see, e.g., <http://en.wikipedia.org/wiki/Phosphor>).

In view of the foregoing, the Applicants submit that the Examiner misinterpreted the teachings of Budd and used them improperly to reject claims 15 and 16. This fact provides additional reasons for the allowability of those claims over Budd.

In view of the above arguments and remarks, the Applicant believes that the pending claims are in condition for allowance. Therefore, the Applicant believes that the entire application is now in condition for allowance, and early and favorable action is respectfully solicited.

Respectfully submitted,

Date: 05/01/2007  
Customer No. 46900  
Mendelsohn & Associates, P.C.  
1500 John F. Kennedy Blvd., Suite 405  
Philadelphia, Pennsylvania 19102

/Yuri Gruzdkov/  
Yuri Gruzdkov  
Registration No. 50,762  
Agent for Applicant  
(215) 557-8544 (phone)  
(215) 557-8477 (fax)